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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,982	11/30/2000	E. Michael Lunsford	3COM-2908.WHD.US.P	6294

7590 03/11/2004  
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EXAMINER

LAZARO, DAVID R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/727,982

Applicant(s)

LUNSFORD ET AL.

Examiner

David Lazaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-16 are pending in this Office Action.

#### ***Papers Received***

2. Oath/Declaration and Request for an Extension of Time were received on 05/11/01.
3. Power of Attorney was received on 6/24/02. Notice of Acceptance sent 7/24/02.
4. Power of Attorney was received on 5/13/03. Notice of Acceptance sent 5/19/03.

#### ***Drawings***

5. The drawings are objected to because Fig. 7 is not completely shown. The bottom of Fig. 7 is cut off. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

6. Claim 2 is objected to because of the following informalities: Line 1 should read "at least one of the mobile computing devices". Appropriate correction is required.
7. Claim 7 is objected to because of the following informalities: Claim 7 should be dependent on Claim 6. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over "BLUETOOTH – The universal radio interface for ad hoc, wireless connectivity" Erricsson Review No. 3, 1998, by Haartsen (Haartsen) in view of U.S. Patent 6,421,716 by Eldridge et al. (Eldridge).

10. With respect to Claim 1, Haartsen teaches that Bluetooth technology provides for wireless communication for selective transmission of data among a group of mobile computing devices (Page 110, See Abstract), comprising: a) broadcasting a query to determine a group of mobile computing devices within communications range (Page 115, Section 'Establishing connection', specifically last paragraph). Haartsen further teaches the data can be transferred between two or more mobile computing devices (Page 114, first paragraph under 'Piconets', also see Page 112, Box C, third user scenario on left). While an interface is implied, Haartsen does not explicitly disclose an interface to present a list of the mobile computing devices in communications range such that one can be selected. Haartsen also does not explicitly disclose presenting a confirmation of the data transfer. Eldridge teaches presenting a user a list of computing devices within communications range on an interface (Col. 7 lines 12-23 and Col. 11 lines 28-40) such that one can be selected by the user (Col. 7 lines 40-47). Eldridge

further teaches a confirmation of a requested action can be presented to the user (Col. 12 lines 25-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Haartsen and modify it as indicated by Eldridge such that the method further comprises presenting a list of mobile computing devices determined in step a) to a user on an interface; b) selecting at least one of the mobile computing devices from the list from step b) for a data transfer, the selecting performed by a user; d) performing the data transfer to the at least one mobile computing device from step c); and e) presenting a confirmation of the data transfer to the user. One would be motivated to have this interface as it allows for faster and easier access to devices that are within communications range (Col. 2 lines 25-29).

11. With respect to Claim 2, Haartsen in view of Eldridge teaches all the limitations of Claim 1 and further teaches at least one of mobile computing device is a PID (personal information device) (Page 110, 2<sup>nd</sup> paragraph of abstract).

12. With respect to Claim 3, Haartsen in view of Eldridge teaches all the limitations of Claim 1 and further teaches at least one of mobile computing device is a cellular phone (Page 110, 2<sup>nd</sup> paragraph of abstract).

13. With respect to Claim 4, Haartsen in view of Eldridge teaches all the limitations of Claim 1 and further teaches broadcasting the query and the data transfer are performed using an RF communications link (Page 110, 1<sup>st</sup> paragraph of abstract, also see Page 112, "The Bluetooth air interface").

14. With respect to Claim 5, Haartsen in view of Eldridge teaches all the limitations of Claim 4 and further teaches the RF communications link is compatible with a version of the Bluetooth specification (Page 112, "The Bluetooth air interface").

15. With respect to Claim 6, Haartsen in view of Eldridge teaches all the limitations of Claim 1 and further teaches selecting a plurality of the mobile computing devices from the list (Col. 7 lines 12-23 and Col. 11 lines 28-40) from step b) for the data transfer; and performing the data transfer to the plurality of mobile computing devices (Page 114, 2<sup>nd</sup> paragraph starting with "ACL links support symmetrical...").

16. With respect to Claim 7, Haartsen in view of Eldridge teaches all the limitations of Claim 6 and further teaches the step of presenting a confirmation of the data transfer to the plurality of mobile computing devices of the user (Col. 12 lines 25-27).

17. With respect to Claim 9, Haartsen teaches a wireless communication system for selective transmission of data among a group of mobile computing devices (Page 110, See Abstract) comprising: a first mobile computing device configured to broadcast a query to determine a group of mobile computing devices within communications range (Page 114, 1<sup>st</sup> Paragraph under 'Piconets' and Page 115, Section 'Establishing connection', specifically last paragraph); and a display built into the first mobile computing device configured to present a GUI to the user (Page 110, 2<sup>nd</sup> Paragraph of Abstract). While a GUI to manage the transmission of data is implied by Haartsen, Haartsen does not explicitly disclose a GUI configured to present a list of the mobile computing devices in communications range such that one can be selected. Haartsen also does not explicitly disclose presenting a confirmation of the data transfer. Eldridge

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teaches presenting a user a list of computing devices within communications range on an interface (Col. 7 lines 12-23 and Col. 11 lines 28-40) such that one can be selected by the user (Col. 7 lines 40-47). Eldridge further teaches a confirmation of a requested action can be presented to the user (Col. 12 lines 25-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Haartsen and modify it as indicated by Eldridge such that the method further comprises the GUI configured to present a list of mobile computing device within communications range, the GUI further configured for selecting at least one of the mobile computing devices from the list for a data transfer and configured for present confirmation of the data transfer indicating a status of the data transfer. One would be motivated to have this interface as it allows for faster and easier access to devices that are within communications range (Col. 2 lines 25-29).

18. With respect to Claim 10, Haartsen in view of Eldridge teaches all the limitations of Claim 9 and further teaches at least one of mobile computing device is a PID (personal information device) (Page 110, 2<sup>nd</sup> paragraph of abstract).

19. With respect to Claim 11, Haartsen in view of Eldridge teaches all the limitations of Claim 9 and further teaches at least one of mobile computing device is a cellular phone (Page 110, 2<sup>nd</sup> paragraph of abstract).

20. With respect to Claim 12, Haartsen in view of Eldridge teaches all the limitations of Claim 9 and further teaches broadcasting the query and the data transfer are performed using an RF communications link (Page 110, 1<sup>st</sup> paragraph of abstract, also see Page 112, "The Bluetooth air interface").

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21. With respect to Claim 13, Haartsen in view of Eldridge teaches all the limitations of Claim 12 and further teaches the RF communications link is compatible with a version of the Bluetooth specification (Page 112, "The Bluetooth air interface").

22. With respect to Claim 14, Haartsen in view of Eldridge teaches all the limitations of Claim 9 and further teaches the first mobile computing device is configured to select a plurality of the mobile computing devices from the list (Col. 7 lines 12-23 and Col. 11 lines 28-40) for the data transfer and perform the data transfer to the plurality of mobile computing devices (Page 114, 2<sup>nd</sup> paragraph starting with "ACL links support symmetrical...").

23. With respect to Claim 15, Haartsen in view of Eldridge teaches all the limitations of Claim 14 and further teaches the first mobile computing device is configured to present a confirmation of the data transfer to the plurality of mobile computing devices (Col. 12 lines 25-27).

24. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haartsen in view of Eldridge as applied to claims 1 and 9 above, and further in view of U.S. Patent 6,128,661 by Flanagan et al. (Flanagan).

25. With respect to Claim 8, Haartsen in view of Eldridge teaches all the limitations of Claim 1 but does not explicitly disclose a menu for enabling either wireless IR or wireless RF communications link for performing the data transfer. Flanagan teaches a menu for selecting the type of communications link to be used for a data transfer (Col. 9 lines 29-50 and see Fig. 8). It would have been obvious to one of ordinary skill in the art



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at the time the invention was made to take the method disclosed by Haartsen in view of Eldridge and modify it as indicated by Flanagin such that the method further comprises the steps of: presenting a menu to allow a selection for enabling a wireless RF communications link for performing the data transfer or enabling a wireless IR communications link for performing the data transfer; and performing the data transfer using the RF communications link or the IR communications link in accordance with the selection. One would be motivated to have this as there is need for the user to be able to choose the communications link to interact with another computing device (Col. 2 lines 5-18).

26. With respect to Claim 16, Haartsen in view of Eldridge teaches all the limitations of Claim 9 but does not explicitly disclose a menu for enabling either wireless IR or wireless RF communications link for performing the data transfer. Flanagin teaches a menu for selecting the type of communications link to be used for a data transfer (Col. 9 lines 29-50 and see Fig. 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Haartsen in view of Eldridge and modify it as indicated by Flanagin such that the first mobile computing device is configured to present a menu to allow a selection for enabling a wireless RF communications link for performing the data transfer or enabling a wireless IR communications link for performing the data transfer; and performing the data transfer using the RF communications link or the IR communications link in accordance with the selection. One would be motivated to have this as there is need for the user to be able

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to choose the communications link to interact with another computing device (Col. 2 lines 5-18).

### ***Conclusion***

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
28. US 6,529,119 by Kumar et al. "Establishment of communications with a selected device in a multi-device environment" March 4, 2003.
29. US 6,359,711 by Cole et al. "System and method for supporting a worker in a distributed work environment" March 19, 2002
30. Arfwedson et al. 'Ericsson's Bluetooth modules', Ericsson Review No. 4, 1999, pp.198-205.
31. Myers et al. 'Collaboration using multiple PDAs connected to a PC' Proceedings ACM 98 Conference on Computer Supported Cooperative Work, New York
32. Monson, Heidi 'Bluetooth technology and implications' from sysopt.com, December 14, 1999.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 703-305-4868. The examiner can normally be reached on 8:30-5:00 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro  
March 5, 2004



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SUPERVISORY PATENT EXAMINER